

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case

Date Filed

10-CA-137105

9-19-14

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer McDonald's & McDonald's Corp., as Joint and Single Employers		b. Tel. No. 404-635-0700
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) McDonald's - 443 Moreland Ave., Atlanta, GA 30316 McDonald's Corp. - 2111 McDonald's Dr. Oak Brook, IL 60523	e. Employer Representative McDonald's - (b) (6), (b) (7)(C) McDonald's Corp. - Gloria Santona	g. e-Mail
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Food Service	h. Number of workers employed Approx. 25
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (1st subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

For the six months preceding the filing of this charge and continuing, the employer violated the Act by reducing the work hours of employee (b) (6), (b) (7)(C) in retaliation for engaging in protected concerted activity and to discourage membership in a labor organization.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Southern Workers Organizing Committee

4a. Address (Street and number, city, state, and ZIP code)

314 S. Wilmington St., Suite 207
Raleigh, NC 27601

4b. Tel. No.

(b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

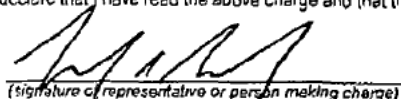
4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By



(signature of representative or person making charge)

Michael B. Schoenfeld, Attorney

(Print/type name and title or office, if any)

Tel. No.

404-897-1000

Office, if any, Cell No.

Fax No.

404-897-1990

e-Mail

michaels@sfglawyers.com

Address 191 Peachtree St. NE Suite 4200, Atlanta, GA 30303

9/18/14

(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 10
233 Peachtree St NE
Harris Tower Ste 1000
Atlanta, GA 30303-1504

Agency Website: www.nlr.gov
Telephone: (404)331-2896
Fax: (404)331-2858

Download
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September 19, 2014

McDonald's
443 Moreland Avenue
Atlanta, GA 30316

Gloria Santona, Counsel
McDonald's Corp
2111 McDonald's Drive
Oak Brook, IL 60523

Re: McDonald's & McDonald's Corp., as Joint
and Single Employers
Case 10-CA-137105

Dear Ms. Santona:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney SARAH L. MARX whose telephone number is (404)331-2894. If this Board agent is not available, you may contact Supervisory Field Attorney LISA HENDERSON whose telephone number is (404)331-2889.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

September 19, 2014

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

September 19, 2014

Very truly yours,

A handwritten signature in black ink that reads "Claude T Harrell Jr". The signature is written in a cursive, slightly slanted style.

CLAUDE T. HARRELL JR.
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

Revised 3/21/2011

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

McDonald's & McDonald's Corp., as Joint and Single Employers

CASE NUMBER

10-CA-137105

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)**YES NO**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**MCDONALD'S & MCDONALD'S CORP., AS
JOINT AND SINGLE EMPLOYERS**

Charged Party

and

**SOUTHERN WORKERS ORGANIZING
COMMITTEE**

Charging Party

Case 10-CA-137105

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on September 19, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

McDonald's
443 Moreland Avenue
Atlanta, GA 30316

Gloria Santona, Counsel
McDonald's Corp
2111 McDonald's Drive
Oak Brook, IL 60523

September 19, 2014

Date

Designated Agent of NLRB

Name

/s/ Paul E. Dorsey

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 10
233 Peachtree St NE
Harris Tower Ste 1000
Atlanta, GA 30303-1504

Agency Website: www.nlr.gov
Telephone: (404)331-2896
Fax: (404)331-2858



Download
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September 19, 2014

Southern Workers Organizing Committee
314 S. Wilmington Street, Suite 207
Raleigh, NC 27601

Re: McDonald's & McDonald's Corp., as Joint
and Single Employers
Case 10-CA-137105

Dear Sir or Madam:

The charge that you filed in this case on September 19, 2014 has been docketed as case number 10-CA-137105. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney SARAH L. MARX whose telephone number is (404)331-2894. If this Board agent is not available, you may contact Supervisory Field Attorney LISA HENDERSON whose telephone number is (404)331-2889.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

September 19, 2014

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Claude T Harrell Jr". The signature is written in a cursive, slightly slanted style.

CLAUDE T. HARRELL JR.
Regional Director

cc: Michael B. Schoenfeld, ESQ.
191 Peachtree Street, N.E.
Suite 4200
Atlanta, GA 30303

From: [Marx, Sarah L.](#)
To: ["Michael Schoenfeld"](#)
Subject: RE: McDonald's, 10-CA-137105
Date: Wednesday, September 24, 2014 10:04:00 AM

Sure, (b) (6), (b) (7)(C) is fine.

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Wednesday, September 24, 2014 10:06 AM
To: Marx, Sarah L.
Subject: Re: McDonald's, 10-CA-137105

Sorry to do this, but my client just said (b) (6), (b) (7)(C) is better. Will that work?

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E.
Suite 4200
Atlanta, GA 30303
404-402-1220

On Sep 24, 2014, at 9:59 AM, Marx, Sarah L. <Sarah.Marx@nrlb.gov> wrote:

Great, thank you. We are confirmed then.

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Wednesday, September 24, 2014 9:57 AM
To: Marx, Sarah L.
Subject: RE: McDonald's, 10-CA-137105

Yes

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nrlb.gov]
Sent: Wednesday, September 24, 2014 9:53 AM
To: Michael Schoenfeld
Subject: RE: McDonald's, 10-CA-137105

Yes that works. I assume in my office.

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Wednesday, September 24, 2014 9:53 AM
To: Marx, Sarah L.
Subject: RE: McDonald's, 10-CA-137105

Will (b) (6), (b) (7)(C) work?

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Michael Schoenfeld
Sent: Wednesday, September 24, 2014 9:46 AM
To: Marx, Sarah L.
Subject: Re: McDonald's, 10-CA-137105

Working on pinning down a date and time. I don't think it can be (b) (6), (b) (7)(C), but will definitely be (b) (6), (b) (7)(C), hopefully the (b) (6), (b) (7)(C). I will let you know as soon as I confirm. Thanks

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E.
Suite 4200
Atlanta, GA 30303
404-402-1220

On Sep 24, 2014, at 9:42 AM, Marx, Sarah L. <Sarah.Marx@nrlb.gov> wrote:

Mike:

Please advise on witness (b) (6), (b) (7)(C) availability for an affidavit, as I would like to have it completed before the (b) (6), (b) (7)(C).

Thank you,

Sarah

Sarah Marx, Attorney
NLRB Region 10
233 Peachtree St., NE
Harris Tower, Suite 1000
Atlanta, GA 30303
404-331-2894 (phone)
404-331-2858 (fax)
sarah.marx@nrlb.gov

From: [Marx, Sarah L.](#)
To: [Henderson, Lisa Y.](#)
Subject: RE: McDonald's, 10-CA-137105
Date: Tuesday, October 7, 2014 10:25:00 AM

Thanks, I will try both of those.

From: Henderson, Lisa Y.
Sent: Tuesday, October 07, 2014 10:21 AM
To: Marx, Sarah L.
Subject: RE: McDonald's, 10-CA-137105

Please inquire of corporate counsel. In addition, have you had any contact at all with the employer rep named on the charge? You can contact (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) to ask who will be representing them.

From: Marx, Sarah L.
Sent: Tuesday, October 07, 2014 10:19 AM
To: Henderson, Lisa Y.
Subject: RE: McDonald's, 10-CA-137105

Lisa,

(b) (5)
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]

Thanks,

Sarah

From: Marx, Sarah L.
Sent: Tuesday, October 07, 2014 9:26 AM
To: Henderson, Lisa Y.
Subject: RE: McDonald's, 10-CA-137105

(b) (5)
[Redacted]

From: Henderson, Lisa Y.
Sent: Tuesday, October 07, 2014 9:19 AM
To: Marx, Sarah L.
Subject: RE: McDonald's, 10-CA-137105

(b) (5)

From: Marx, Sarah L.
Sent: Tuesday, October 07, 2014 9:16 AM
To: Henderson, Lisa Y.
Subject: RE: McDonald's, 10-CA-137105

(b) (5) Their NOA only said McDonald's Corp. (b) (5)

From: Henderson, Lisa Y.
Sent: Tuesday, October 07, 2014 9:08 AM
To: Marx, Sarah L.
Subject: RE: McDonald's, 10-CA-137105

Does the corporate counsel represent the franchise?

From: Marx, Sarah L.
Sent: Tuesday, October 07, 2014 7:46 AM
To: Henderson, Lisa Y.
Subject: McDonald's, 10-CA-137105

Lisa,

For this case, McDonald's Corp. has an attorney, but I do not have an attorney for the franchise.

(b) (5)

Please advise.

Thanks,

Sarah

Sarah Marx, Attorney
NLRB Region 10
233 Peachtree St., NE
Harris Tower, Suite 1000
Atlanta, GA 30303
404-331-2894 (phone)
404-331-2858 (fax)
sarah.marx@nrlb.gov

From: [Michael Schoenfeld](#)
To: [Marx, Sarah L.](#)
Subject: RE: 10-CA-137105
Date: Wednesday, October 22, 2014 2:26:12 PM
Attachments: [10-CA-137105 - \(b\) \(6\), \(b\) \(7\)\(C\) .paystubs.pdf](#)

Attached are copies of the McDonalds paystubs that (b) (6), (b) (7)(C) has in (b) (6), (b) (7)(C) possession. You will see that (b) (6), (b) (7)(C) does not possess (b) (6), (b) (7)(C) 2014 paystub. However, (b) (6), (b) (7)(C) recalls receiving a net amount of (b) (6), (b) (7)(C) on that check. That would indicate approximately (b) (6), (b) (7)(C) worked during the pay period of (b) (6), (b) (7)(C)

Also, the last paycheck that (b) (6), (b) (7)(C) recalls receiving was on (b) (6), (b) (7)(C) for the (b) (6), (b) (7)(C) pay period. However, (b) (6), (b) (7)(C) recalls working at least (b) (6), (b) (7)(C) following (b) (6), (b) (7)(C) but (b) (6), (b) (7)(C) does not believe (b) (6), (b) (7)(C) received payment for those hours worked.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nlrb.gov]
Sent: Thursday, October 16, 2014 10:09 AM
To: Michael Schoenfeld
Subject: RE: 10-CA-137105

Great, thanks for letting me know. Also, is the Union submitting a position statement? If so, please get it to me by Thursday, Oct. 23. Thank you.

From: Michael Schoenfeld [mailto:MichaelS@sfglawyers.com]
Sent: Thursday, October 16, 2014 10:12 AM
To: Marx, Sarah L.
Subject: RE: 10-CA-137105

Just wanted to let you know that I am gathering (b) (6), (b) (7)(C) paystubs to forward to you. I'm am waiting for (b) (6), (b) (7)(C) to find (b) (6), (b) (7)(C) stubs and then I'll send them all over.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nlrb.gov]
Sent: Wednesday, October 08, 2014 4:16 PM
To: Michael Schoenfeld
Subject: RE: 10-CA-137105

Mike:

I just wanted to let you know that I spoke to (b) (6), (b) (7)(C) yesterday and (b) (6), (b) (7)(C) has advised me that (b) (6), (b) (7)(C) had a (b) (6), (b) (7)(C) and that may have been why it was difficult to speak with (b) (6), (b) (7)(C)

Thanks,

Sarah

From: Marx, Sarah L.
Sent: Tuesday, October 07, 2014 11:46 AM
To: 'Michael Schoenfeld'
Subject: RE: 10-CA-137105

Mike:

Thank you for bringing this to my attention. I will call (b) (6), (b) (7)(C) and make sure we are clear regarding what we discussed on the confidentiality of affidavits.

-Sarah

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Tuesday, October 07, 2014 11:16 AM
To: Marx, Sarah L.
Subject: 10-CA-137105

Sarah -

I just called your office and left a message. There apparently was some miscommunication between you and (b) (6), (b) (7)(C) last week. (b) (6), (b) (7)(C) believes that you told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should not talk to *anyone* about the case, including the charging party and its representative, me. If possible, I would appreciate it if you would contact (b) (6), (b) (7)(C) and clarify that of course (b) (6), (b) (7)(C) can speak to the labor organization and its attorney. Thanks.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store
Department

15142

(b) (6), (b) (7)(C)

Check Date: (b) (6), (b) (7)(C)
Period Beginning: (b) (6), (b) (7)(C)
Period Ending: (b) (6), (b) (7)(C)
Check Number: (b) (6), (b) (7)(C)
Net Pay: (b) (6), (b) (7)(C)
Check Amount: (b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay			(b) (6), (b) (7)(C)		

(b) (6), (b) (7)(C)

Taxes	Status
Medicare	
Medicare - Additional	
OASDI	(b) (6), (b) (7)(C)
Federal Income Tax	(b) (6), (b) (7)(C)
Georgia SITW	(b) (6), (b) (7)(C)
Total Tax Withholding	(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

Check Date: (b) (6), (b) (7)(C)
Period Beginning: [REDACTED]
Period Ending: [REDACTED]
Check Number: [REDACTED]
Net Pay: [REDACTED]
Check Amount: [REDACTED]

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
----------	------	-------	--------	---------	---------

Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable	Amount	YTD Amt
---------	--------	---------

Medicare

Medicare - Additional

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

Check Date: (b) (6), (b) (7)(C)
Period Beginning:
Period Ending:
Check Number
Net Pay
Check Amount

(b) (6), (b) (7)(C)

Employee Number (b) (6), (b) (7)(C)

Store 15142
Department (b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg	(b) (6), (b) (7)(C)				
Total Gross Pay	(b) (6), (b) (7)(C)				

Taxes	Status	Taxable Amount	YTD Amt
Medicare		(b) (6), (b) (7)(C)	
Medicare - Additional			
OASDI			
Federal Income Tax	(b) (6), (b) (7)(C)		
Georgia SITW			
Total Tax Withholding			

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:
Period Beginning:
Period Ending:
Check Number
Net Pay
Check Amount

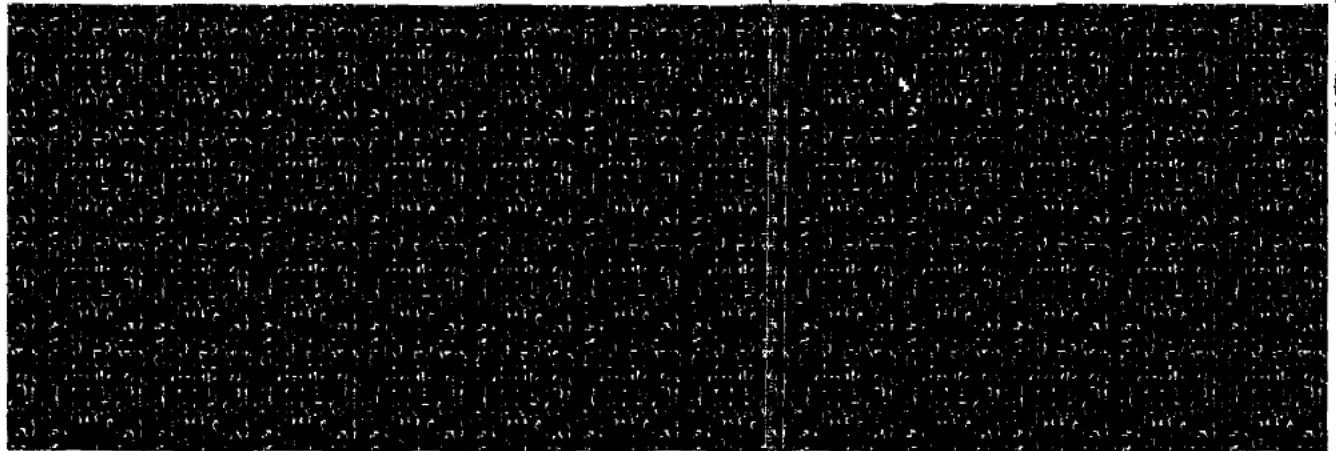
(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg.					
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes	Status	Taxable Amount	YTD Amt
Medicare			
Medicare - Additional	(b) (6), (b) (7)(C)		
OASDI			
Federal Income Tax			
Georgia SITW			
Total Tax Withholding			(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION



ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

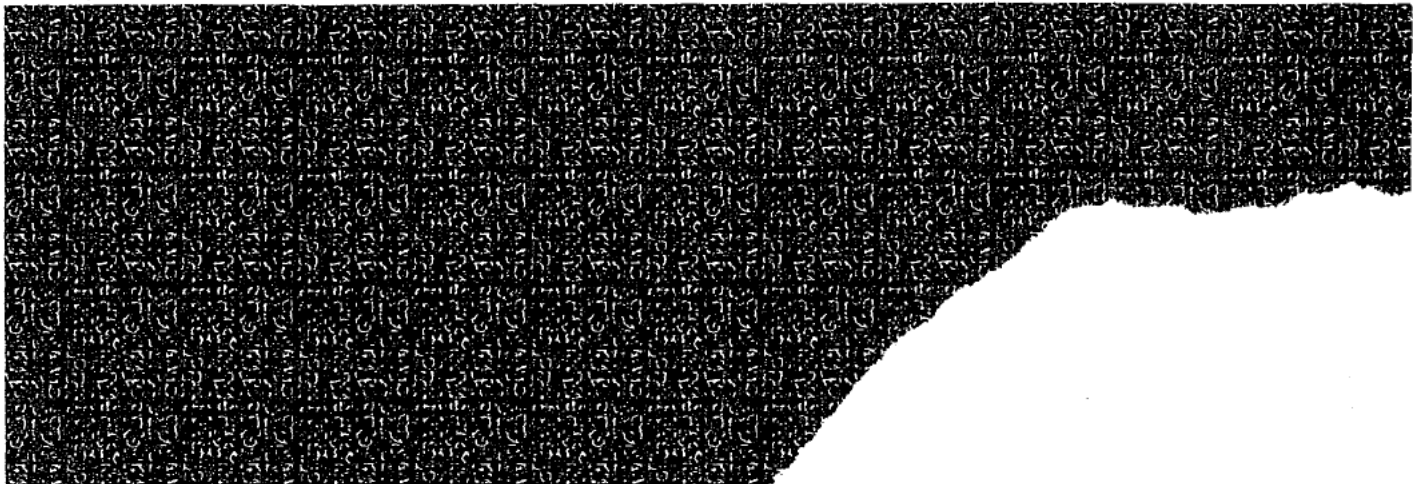
Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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← REMOVE DOCUMENT ALONG THIS PERFORATION →



ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store
Department

15142

(b) (6), (b) (7)(C)

Check Date:
Period Beginning:
Period Ending:
Check Number
Net Pay
Check Amount

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes	Status
Medicare	
Medicare - Additiona	
OASDI	(b) (6), (b) (7)(C)
Federal Income Tax	
Georgia SITW	
Total Tax Withholding	

Taxable Amount	YTD Amt
(b) (6), (b) (7)(C)	

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT A.

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:
Period Beginning:
Period Ending:
Check Number
Net Pay
Check Amount

(b) (6), (b) (7)(C)

Earnings
Reg
Total Gross Pay

(b) (6), (b) (7)(C)

Taxes
Medicare
Medicare - Additiona
OASDI
Federal Income Tax
Georgia SITW
Total Tax Withholding

Status

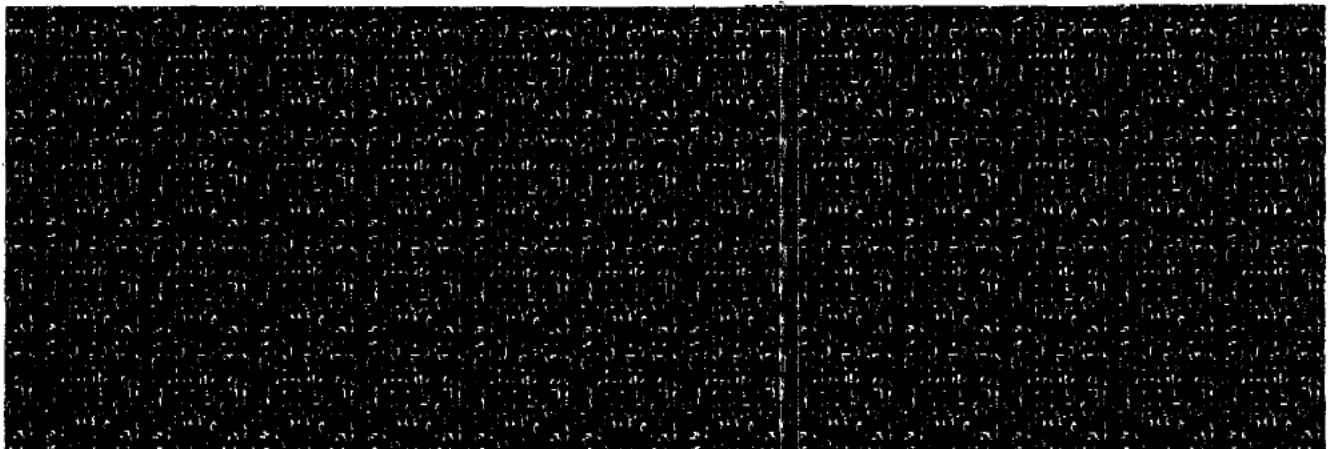
Taxable Amount YTD Amt

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION



ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes	Status	Taxable Amount	YTD Amt
Medicare		(b) (6), (b) (7)(C)	
Medicare - Additiona		(b) (6), (b) (7)(C)	
OASDI		(b) (6), (b) (7)(C)	
Federal Income Tax		(b) (6), (b) (7)(C)	
Georgia SITW		(b) (6), (b) (7)(C)	
Total Tax Withholding		(b) (6), (b) (7)(C)	

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD Ar

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additional

OASDI

(b) (6), (b) (7)(C)

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

AIJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:
Period Beginning:
Period Ending:
Check Number
Net Pay
Check Amount

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay					

(b) (6), (b) (7)(C)

Taxes: Status
Medicare
Medicare - Additional
OASDI
Federal Income Tax
Georgia SITW
Total Tax Withholding

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concern (b) (6), (b) (7)(C)

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additional

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	VTD Hrs	VTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount VTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

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ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

(b) (6), (b) (7)(C)

Earnings Rate Hours Amount YTD Hrs YTD Amt

Reg

Total Gross Pay

(b) (6), (b) (7)(C)

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

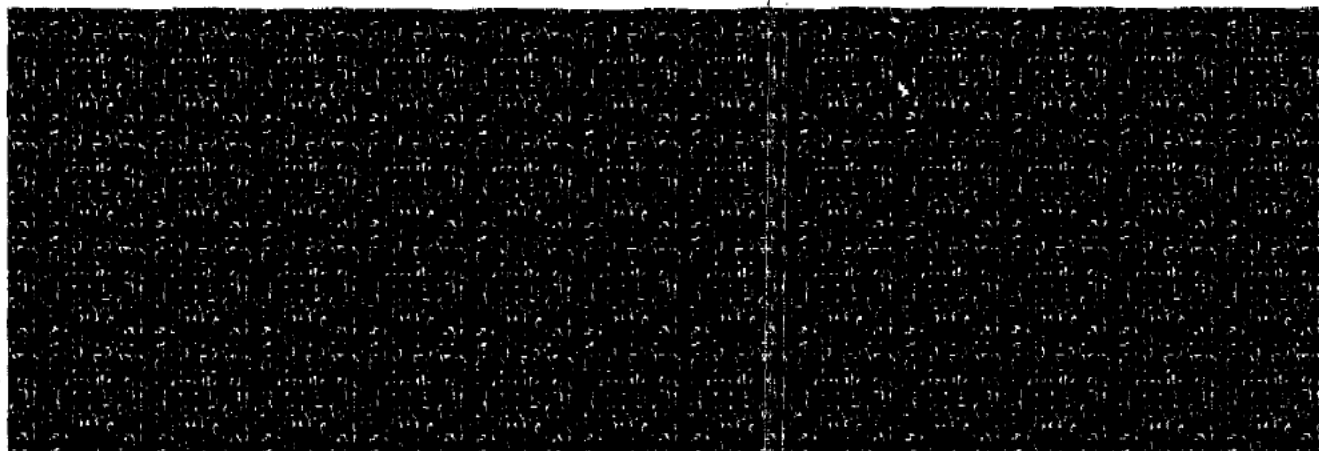
(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg.					
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes	Status	Taxable Amount	YTD Amt
Medicare			
Medicare - Additional			
OASDI			
Federal Income Tax	(b) (6), (b) (7)(C)		
Georgia SITW			
Total Tax Withholding			(b) (6), (b) (7)(C)

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REMOVE DOCUMENT ALONG THIS PERFORATION



ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

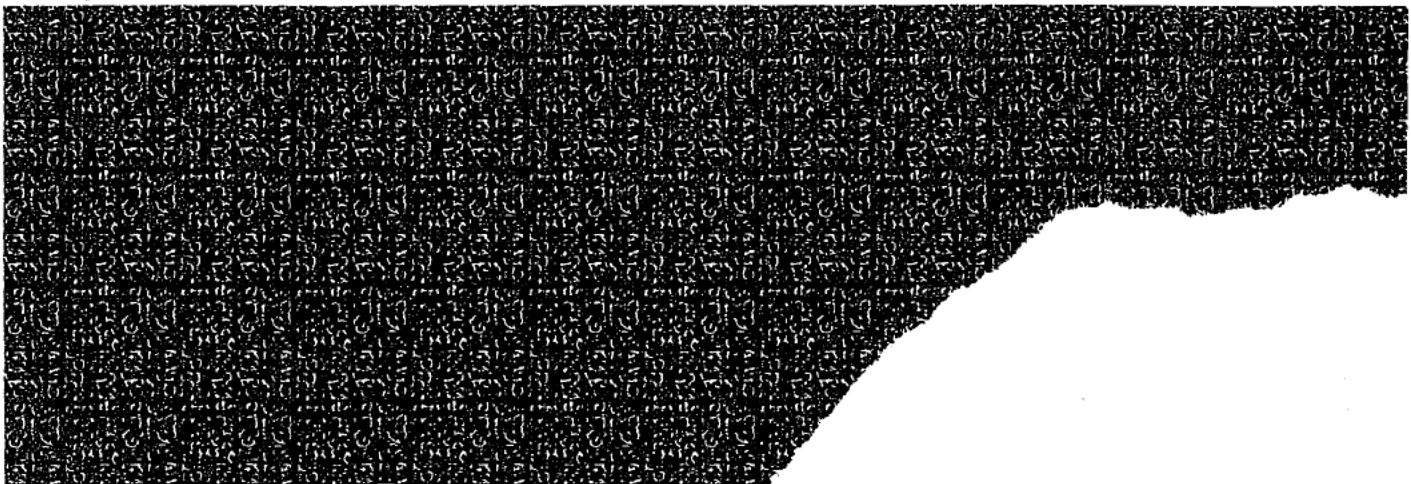
Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes	Status	Taxable Amount	YTD Amt
Medicare		(b) (6), (b) (7)(C)	
Medicare - Additiona		(b) (6), (b) (7)(C)	
OASDI	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
Federal Income Tax	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
Georgia SITW	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
Total Tax Withholding		(b) (6), (b) (7)(C)	

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

← REMOVE DOCUMENT ALONG THIS PERFORATION →



ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD A

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

(b) (6), (b) (7)(C)

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

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REMOVE DOCUMENT A.

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	VTD Hrs	VTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount VTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:
Period Beginning:
Period Ending:
Check Number
Net Pay
Check Amount

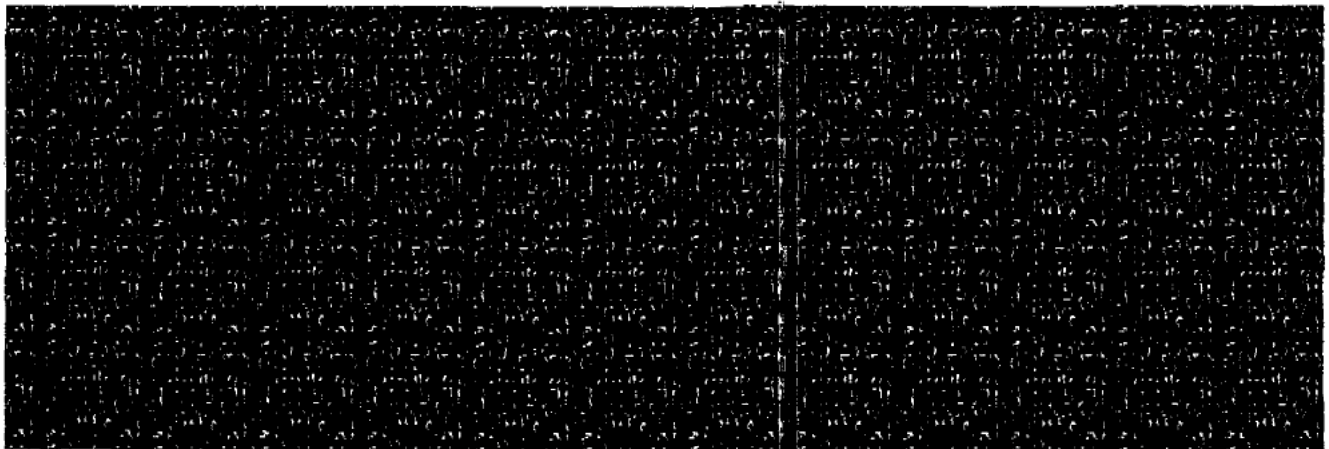
(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes	Status	Taxable Amount	YTD Amt
Medicare			
Medicare - Additional			
OASDI	(b) (6), (b) (7)(C)		
Federal Income Tax			
Georgia SITW			
Total Tax Withholding			(b) (6), (b) (7)(C)

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ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Total Gross Pay	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

Taxes	Status	Taxable Amount	YTD Amt
Medicare	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Medicare - Additiona	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
OASDI	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Federal Income Tax	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Georgia SITW	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Total Tax Withholding	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

(b) (6), (b) (7)(C)

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg	(b) (6), (b) (7)(C)				
Total Gross Pay	(b) (6), (b) (7)(C)				

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

ALJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg			(b) (6), (b) (7)(C)		
Total Gross Pay			(b) (6), (b) (7)(C)		

Taxes

Status

Taxable Amount YTD Amt

Medicare

Medicare - Additiona

OASDI

Federal Income Tax

(b) (6), (b) (7)(C)

Georgia SITW

Total Tax Withholding

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax set-up for W-2 purposes and speak with your restaurant manager if you have any concerns.

REMOVE DOCUMENT ALONG THIS PERFORATION

AIJOYCE II INC
P O Box 82059
Conyers, GA 30013

Earnings Statement

(b) (6), (b) (7)(C)

Employee Number

(b) (6), (b) (7)(C)

Store

15142

Department

(b) (6), (b) (7)(C)

Check Date:

(b) (6), (b) (7)(C)

Period Beginning:

Period Ending:

Check Number

Net Pay

Check Amount

Earnings	Rate	Hours	Amount	YTD Hrs	YTD Amt
Reg					
Total Gross Pay					

(b) (6), (b) (7)(C)

Taxes Status

Medicare

Medicare - Additional

OASDI

Federal Income Tax

Georgia BITW

Total Tax Withholding

(b) (6), (b) (7)(C)

Taxable	Amount	YTD Amt

(b) (6), (b) (7)(C)

Please reverify your name, address, SS # and tax return for W-2 purposes and speak with your restaurant manager if you have any concerns (b) (6), (b) (7)(C)

REMOVE DOCUMENT ALONG THIS PERFORATION



From: [Marx, Sarah L.](#)
To: ["Michael Schoenfeld"](#)
Subject: RE: 10-CA-137105
Date: Thursday, October 23, 2014 2:18:00 PM

Yes, you may have the extension as requested.

From: Michael Schoenfeld [mailto:MichaelS@sfglawyers.com]
Sent: Thursday, October 23, 2014 2:10 PM
To: Marx, Sarah L.
Subject: RE: 10-CA-137105

I am still waiting to receive the strike notice. Can I please have until COB tomorrow to submit the position statement and evidence?

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nrlrb.gov]
Sent: Wednesday, October 22, 2014 3:17 PM
To: Michael Schoenfeld
Subject: RE: 10-CA-137105

Thank you.

From: Michael Schoenfeld [mailto:MichaelS@sfglawyers.com]
Sent: Wednesday, October 22, 2014 3:18 PM
To: Marx, Sarah L.
Subject: RE: 10-CA-137105

I am also working to gather the strike notice that was delivered to McDonalds prior to the (b) (6), (b) (7)(C) demonstration. I hope to provide it tomorrow along with a position statement.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nrlrb.gov]
Sent: Wednesday, October 22, 2014 2:49 PM
To: Michael Schoenfeld
Subject: RE: 10-CA-137105

Received. Thank you for the information.

From: Michael Schoenfeld [mailto:MichaelS@sfglawyers.com]
Sent: Wednesday, October 22, 2014 2:30 PM
To: Marx, Sarah L.
Subject: RE: 10-CA-137105

Attached are copies of the McDonalds paystubs that (b) (6), (b) (7)(C) has in (b) (6), (b) (7)(C) possession. You will see that (b) (6), (b) (7)(C) does not possess (b) (6), (b) (7)(C) 2014 paystub. However, (b) (6), (b) (7)(C) recalls receiving a net amount of (b) (6), (b) (7)(C) on that check. That would indicate approximately (b) (6), (b) (7)(C) worked during the pay period of (b) (6), (b) (7)(C).

Also, the last paycheck that (b) (6), (b) (7)(C) recalls receiving was on (b) (6), (b) (7)(C) for the (b) (6), (b) (7)(C) pay period. However, (b) (6), (b) (7)(C) recalls working at least (b) (6), (b) (7)(C) following (b) (6), (b) (7)(C), but (b) (6), (b) (7)(C) does not believe (b) (6), (b) (7)(C) received payment for those hours worked.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nlrb.gov]
Sent: Thursday, October 16, 2014 10:09 AM
To: Michael Schoenfeld
Subject: RE: 10-CA-137105

Great, thanks for letting me know. Also, is the Union submitting a position statement? If so, please get it to me by Thursday, Oct. 23. Thank you.

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Thursday, October 16, 2014 10:12 AM
To: Marx, Sarah L.
Subject: RE: 10-CA-137105

Just wanted to let you know that I am gathering (b) (6), (b) (7)(C) paystubs to forward to you. I'm am waiting for (b) (6), (b) (7)(C) to find (b) (6), (b) (7)(C) stubs and then I'll send them all over.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

From: Marx, Sarah L. [Sarah.Marx@nlrb.gov]
Sent: Wednesday, October 08, 2014 4:16 PM
To: Michael Schoenfeld
Subject: RE: 10-CA-137105

Mike:

I just wanted to let you know that I spoke to (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) has advised me that (b) (6), (b) (7)(C) had a (b) (6), (b) (7)(C) and that may have been why it was difficult to speak with (b) (6), (b) (7)(C).

Thanks,

Sarah

From: Marx, Sarah L.

Sent: Tuesday, October 07, 2014 11:46 AM
To: 'Michael Schoenfeld'
Subject: RE: 10-CA-137105

Mike:

Thank you for bringing this to my attention. I will call (b) (6), (b) (7)(C) and make sure we are clear regarding what we discussed on the confidentiality of affidavits.

-Sarah

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Tuesday, October 07, 2014 11:16 AM
To: Marx, Sarah L.
Subject: 10-CA-137105

Sarah -

I just called your office and left a message. There apparently was some miscommunication between you and (b) (6), (b) (7)(C) last week. (b) (6), (b) (7)(C) believes that you told (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) should not talk to *anyone* about the case, including the charging party and its representative, me. If possible, I would appreciate it if you would contact (b) (6), (b) (7)(C) and clarify that of course (b) (6), (b) (7)(C) can speak to the labor organization and its attorney. Thanks.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-402-1220

STANFORD FAGAN LLC

ATTORNEYS AT LAW

JAMES D. FAGAN, JR.

191 PEACHTREE STREET, N.E.
SUITE 4200
ATLANTA, GEORGIA 30303
(404) 897-1000
FAX: (404) 897-1990
EMAIL: jfagan@sfglawyers.com

October 24, 2014

VIA E-FILE

Sarah Marx
Field Attorney
National Labor Relations Board
Region 10
233 Peachtree Street NE
Harris Tower Suite 1000
Atlanta, Georgia 30303-1504

Re: Case No. 10-CA-137105, Aljoyce II, Inc., d/b/a McDonald's & McDonald's USA, LLC, as Joint and Single Employers – Charging Party's Position Statement

Greetings:

As you know, the undersigned represents the Charging Party in the above-referenced matter. Please consider this as the Charging Party's Position Statement in support of the Charge. As explained below, Aljoyce II, Inc., d/b/a McDonald's & McDonald's USA, LLC, as Joint and Single Employers (the "Employer"), violated Section 8(a)(1) and 8(a)(3) of the National Labor Relations Act (the "Act") by reducing the work hours of (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) participation in protected concerted activities. As a result, the Charging Party respectfully requests that absent settlement, a complaint should be issued in this matter.

Statement of Facts

(b) (6), (b) (7)(C) was hired by the Employer in (b) (6), (b) (7)(C) to work at its McDonald's restaurant located at 443 Moreland Avenue, Atlanta, Georgia 30316 (the "Restaurant"). (b) (6), (b) (7)(C) rate of pay was (b) (6), (b) (7)(C).

On (b) (6), (b) (7)(C), 2014, at or around (b) (6), (b) (7)(C), SEIU Attorney LaRell Purdie, along with Southern Workers Organizing Committee (b) (6), (b) (7)(C), hand-delivered a strike notice to a supervisor of the Employer working at the Restaurant. Thus, the Employer was notified that (b) (6), (b) (7)(C) along with fellow employees (b) (6), (b) (7)(C) intended to strike the following day "to protest unfair labor practices and wage theft occurring here, in workplaces in our city, and in solidarity with workers across the country" and "to demand a \$15 an hour wage and the right to join a union without retaliation."¹ On (b) (6), (b) (7)(C) the day of the strike, (b) (6), (b) (7)(C) participated in

¹ A copy of the strike notice delivered to the Employer on (b) (6), (b) (7)(C), 2014 is enclosed hereto.

a concerted demonstration across the street from the Restaurant, approximately 25 feet away. The Restaurant's (b) (6), (b) (7)(C) stood in front of the Restaurant and observed the demonstration.

Prior to the (b) (6), (b) (7)(C) strike and demonstration, (b) (6), (b) (7)(C) was regularly scheduled to work (b) (6), (b) (7)(C). On or around (b) (6), (b) (7)(C) scheduled shifts were decreased to (b) (6), (b) (7)(C).² On or around (b) (6), (b) (7)(C) scheduled shifts were again decreased, this time to (b) (6), (b) (7)(C).³ From (b) (6), (b) (7)(C) until (b) (6), (b) (7)(C) last day of employment with the Employer, (b) (6), (b) (7)(C) was regularly scheduled to work only (b) (6), (b) (7)(C)⁴

Legal Analysis

An employer violates Section 8(a)(1) if it knows of its employee's concerted activity, if the activity is protected by the Act, and if the adverse employment action is motivated by the employee's protected concerted activities. *KNTV, Inc.*, 319 NLRB 447, 459 (1995). Moreover, Section 8(a)(3) prohibits an employer from retaliating against an employee for engaging in union or other protected activities. *NLRB v Delta Gas, Inc.*, 840 F.2d 309, 311 (5th Cir. 1988). To prove a Section 8(a)(3) violation, the evidence must support a reasonable inference that the employer's adverse action was motivated by anti-union animus. *Id.*

I. (b) (6), (b) (7)(C) participation in the strike and demonstration on (b) (6), (b) (7)(C) constituted protected concerted activities

Whether an employee's activity is "concerted" depends on the manner in which the employee's actions may be linked to those of his coworkers. See *NLRB v. City Disposal Systems*, 465 U.S. 822, 831 (1984); *Meyers Industries*, 268 NLRB 493, 497 (1984) (*Meyers I*), remanded sub nom. *Prill v. NLRB*, 755 F.2d 941 (D.C. Cir. 1985), cert. denied 474 U.S. 948 (1985), supplemented *Meyers Industries*, 281 NLRB 882, 887 (1986) (*Meyers II*), affd. sub nom. *Prill v. NLRB*, 835 F.2d 1481 (D.C. Cir. 1987), cert. denied 487 U.S. 1205 (1988). The Supreme Court has observed, however, that "[t]here is no indication that Congress intended to limit [Section 7] protection to situations in which an employee's activity and that of his fellow employees combine with one another in any particular way." *NLRB v. City Disposal Systems*, 465 U.S. at 835. The concept of "mutual aid or protection" focuses on the goal of concerted activity; chiefly, whether the employee or employees involved are seeking to "improve terms and conditions of employment or otherwise improve their lot as employees." *Eastex, Inc. v. NLRB*, 437 U.S. 556, 565 (1978) (emphasis in original). In enacting Section 7, Congress created a framework for employees to "band together" in solidarity to address their terms and

² (b) (6), (b) (7)(C), (b) (7)(D)

³ (b) (6), (b) (7)(C), (b) (7)(D)

⁴ The paystubs submitted to the Region show that (b) (6), (b) (7)(C) worked (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C), and only (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C) does not possess the paystub covering the pay period (b) (6), (b) (7)(C) but (b) (6), (b) (7)(C) recalls receiving net pay of (b) (6), (b) (7)(C) for that period, indicating approximately (b) (6), (b) (7)(C) does not possess copies of (b) (6), (b) (7)(C) work schedules. The Charging Party respectfully requests that the Region obtain the work schedules from the Employer.

conditions of employment with their employer. *NLRB v. City Disposal Systems*, 465 U.S. at 835. “[M]ak[ing] common cause with a fellow workman over his separate grievance” is a hallmark of such solidarity, even if “only one of them . . . has any immediate stake in the outcome.” *NLRB v. Peter Cailler Kohler Swiss Chocolates Co.*, 130 F.2d 503, 505 (2d Cir. 1942). Further, “it is well settled that employees' conduct on behalf of the employees of another employer who are engaged in protected concerted activity is itself protected concerted activity.” *Office Depot*, 330 NLRB 640, 642 (2000) (citing *Boise Cascade Corp.*, 300 NLRB 80, 82 (1991)).

Here, (b) (6), (b) (7)(C) activity on (b) (6), (b) (7)(C) was clearly concerted activity protected by Section 7 of the Act. First, (b) (6), (b) (7)(C) combined with (b) (6), (b) (7)(C) fellow employees to engage in a strike on (b) (6), (b) (7)(C) to, in part, improve terms and conditions of employment at their place of employment. The concerted action of announcing a strike, and notifying the Employer of such, constituted concerted protected activity, regardless of whether (b) (6), (b) (7)(C) coworkers went on strike or attended the (b) (6), (b) (7)(C) demonstration. See *NLRB v. City Disposal Systems*, 465 U.S. at 835.

Next, (b) (6), (b) (7)(C) attended a protest on (b) (6), (b) (7)(C) for the purpose of, among of things, raising wages in the fast food industry.⁵ Employees of other fast food restaurants also attended the protest, along with union organizers and members of the community. Many of the employees of other fast food restaurants who participated in the protest were on strike on (b) (6), (b) (7)(C). Thus, (b) (6), (b) (7)(C) participation in the protest constituted protected concerted activity, regardless of whether others employees of the Employer participated in the demonstration, because (b) (6), (b) (7)(C) was “making common cause” with fellow fast food workers in the City of Atlanta, and throughout the country. See *Raines Electric Company*, NLRB Div. of Advice, Case No. 16-CA-17572, 1996 WL 931981 at *3 (July 17, 1996) (“it is settled that individual activity, when engaged in to assist a union in pursuit of its legitimate goals, is both protected and concerted.”); *Office Depot*, 330 NLRB at 642; *NLRB v. Peter Cailler Kohler Swiss Chocolates Co.*, 130 F.2d at 505.

II. The Employer had knowledge of (b) (6), (b) (7)(C) participation in protected concerted activities

On (b) (6), (b) (7)(C), the Employer was notified that (b) (6), (b) (7)(C) would strike on (b) (6), (b) (7)(C) for, among other things, better working conditions. Therefore, the Employer had knowledge of (b) (6), (b) (7)(C) concerted protected activity, because under established Board law, the knowledge of the supervisor who received the notice is imputed to the Employer. *Dr. Phillip Megdal, D.D.S. Inc.*, 267 NLRB 82, 82 (1983) (supervisor's knowledge of employee's union activity is imputed to employer unless “it has been affirmatively established as a matter of fact that a supervisor who learned of union activities did not pass on the information to others”). Moreover, the Restaurant's (b) (6), (b) (7)(C) all watched the protest that (b) (6), (b) (7)(C) attended, and therefore it is reasonable to infer that they all witnessed (b) (6), (b) (7)(C) engage in protected concerted activity.

⁵ (b) (6), (b) (7)(C), (b) (7)(D)

III. (b) (6), (b) (7)(C) participation in protected concerted activities motivated the Employer to reduce (b) (6), (b) (7)(C) scheduled work hours

To show a violation of Section 8(a)(1) and 8(a)(3), the evidence must support that the reduction of hours was motivated by (b) (6), (b) (7)(C) protected activity. *KNTV, Inc.*, 319 NLRB at 459; *NLRB v Delta Gas, Inc.*, 840 F.2d at 311. The motive question in Section 8(a)(1) cases is governed by the same *Wright Line* principles that apply to Section 8(a)(3) cases. *Guideline Memorandum Concerning Meyers Industries, Inc.*, NLRB GC Memorandum, GC 84-3, 1984 WL 50030 * 2 (February 16, 1984); *Meyers I*, 268 NLRB at fn 23; *Wright Line*, 251 NLRB 1083 (1980), enfd. 662 F.2d 899 (1st Cir. 1981), cert. denied 455 U.S. 989, approved in *NLRB v. Transportation Management Corp.*, 482 U.S. 393 (1983).

Here, the facts show that (b) (6), (b) (7)(C) scheduled hours were reduced after the Employer received notice of (b) (6), (b) (7)(C) intention to participate in a strike, and after agents of the Employer observed (b) (6), (b) (7)(C) participating in a protest for higher wages for fast food workers. Therefore, a nexus exists between (b) (6), (b) (7)(C) protected activity and (b) (6), (b) (7)(C) reduction in hours. The nexus between (b) (6), (b) (7)(C) protected activity and the Employer's adverse action raises a prima facie case that (b) (6), (b) (7)(C) protected conduct was a "motivating factor" in the Employer's decision to reduce (b) (6), (b) (7)(C) scheduled hours. *Yellow Transportation, Inc.*, 343 NLRB 43, 47 (2004). As a result, a presumption is raised that the Employer violated Section 8(a)(1) and 8(a)(3).

Conclusion

(b) (6), (b) (7)(C) participation in the (b) (6), (b) (7)(C) strike and protest constituted protected concerted activity protected by Section 7 of the Act. The Employer knew (b) (6), (b) (7)(C) was engaged in protected activity through receipt of the strike notice on (b) (6), (b) (7)(C) and observation of the protest on (b) (6), (b) (7)(C). There is a nexus between (b) (6), (b) (7)(C) protected activity and (b) (6), (b) (7)(C) reduction in scheduled hours, because the reduction in hours occurred following the Employer's notice of (b) (6), (b) (7)(C) protected activity. The Charging Party submits that therefore a presumption is raised that (b) (6), (b) (7)(C) protected activity was a motivating factor in the adverse employment action.

The Charging Party respectfully submits that (b) (6), (b) (7)(C) is entitled to a make whole remedy for all financial losses suffered as a result of the unlawful reduction in hours. Thus, absent settlement, a complaint should be issued in this matter.

Sincerely,

/s/ Michael B. Schoenfeld

Michael B. Schoenfeld

Enclosure

Southern Workers Organizing Committee
324 S Wilmington St #207 Raleigh, NC 27601

(b) (6), (b) (7) 2014

To: McDonalds
443 Moreland Avenue S.E Atlanta GA 30316

Attention management and ownership of this restaurant:

This is to notify you that on (b) (6), (b) (7)(C) 014, we workers are going on strike. We are striking to protest unfair labor practices and wage theft occurring here, in workplaces in our city, and in solidarity with workers across the country. We are also striking to demand a \$15 an hour wage and the right to join a union without retaliation. We are not making a present demand for recognition at this time.

We offer to return to work unconditionally after (b) (6), (b) (7)(C) for our next regularly scheduled shift. This is a peaceful, lawful, one-day strike protected by federal labor law. We expect that you will obey federal law and refrain from firing, discriminating, or retaliating against us for standing together to improve our jobs and to safeguard our rights.

This company is profitable because of our hard work, but we are paid poverty wages that are not enough to pay for the basics like food, rent, and utilities. We want to properly care for our families, so we are taking a stand to improve our future.

(b) (6), (b) (7)(C)

From: [Marx, Sarah L.](#)
To: ["Michael Schoenfeld"](#)
Subject: RE: McDonald's, Case No. 10-CA-137105
Date: Thursday, November 13, 2014 1:27:00 PM

Thank you for the prompt response, Mike.

From: Michael Schoenfeld [mailto:MichaelS@sfglawyers.com]
Sent: Thursday, November 13, 2014 12:04 PM
To: Marx, Sarah L.
Subject: RE: McDonald's, Case No. 10-CA-137105

The Union denies that assertion. The Union submits that (b) (6), (b) (7)(C) hours were reduced for the reasons set forth in the Union's position statement. Thank you.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-897-1000 (office)
404-897-1990 (fax)
404-402-1220 (cell)

From: Marx, Sarah L. [Sarah.Marx@nrlrb.gov]
Sent: Thursday, November 13, 2014 9:52 AM
To: Michael Schoenfeld
Subject: McDonald's, Case No. 10-CA-137105

Mike,

To follow up on the Union's position statement of October 24, please provide the Union's response to the assertion that any reduction in (b) (6), (b) (7)(C) hours after (b) (6), (b) (7)(C) were the result of (b) (6), (b) (7)(C) own absences, specifically for (b) (6), (b) (7)(C).

We would appreciate a response to this no later than Monday, November 17.

Thank you.

Sincerely,

Sarah

Sarah Marx, Attorney
NLRB Region 10
233 Peachtree St., NE
Harris Tower, Suite 1000
Atlanta, GA 30303
404-331-2894 (phone)
404-331-2858 (fax)

sarah.marx@nlrb.gov

From: [Henderson, Lisa Y.](#)
To: [Marx, Sarah L.](#)
Subject: RE: Aljoyce, -137105
Date: Thursday, November 13, 2014 1:33:31 PM

Thanks, Sarah.

From: Marx, Sarah L.
Sent: Thursday, November 13, 2014 1:30 PM
To: Henderson, Lisa Y.
Subject: RE: Aljoyce, -137105

Lisa,

The Union denies the assertion that (b) (6), (b) (7)(C) hours were reduced due to (b) (6), (b) (7)(C) own actions and maintains that (b) (6), (b) (7)(C) hours were reduced to (b) (6), (b) (7)(C) PCA, per its position statement. However, as laid out in the FIR, (b) (5), (b) (6), (b) (7)(C)

Please let me know if anything further is required for this.

Thanks,

Sarah

From: Marx, Sarah L.
Sent: Thursday, November 13, 2014 9:49 AM
To: Henderson, Lisa Y.
Subject: RE: Aljoyce, -137105

Will do. Thanks.

From: Henderson, Lisa Y.
Sent: Thursday, November 13, 2014 9:45 AM
To: Marx, Sarah L.
Subject: RE: Aljoyce, -137105

Please do. I'd rather know now than in an appeal. Thanks.

From: Marx, Sarah L.
Sent: Thursday, November 13, 2014 9:42 AM
To: Henderson, Lisa Y.
Subject: RE: Aljoyce, -137105

Sorry, I mean that (b) (5), (b) (6), (b) (7)(C)

Thanks.

From: Henderson, Lisa Y.

Sent: Thursday, November 13, 2014 9:39 AM
To: Marx, Sarah L.
Subject: RE: Aljoyce, -137105

I don't understand. (b) (5), (b) (6), (b) (7)(C)

[REDACTED]

[REDACTED]

From: Marx, Sarah L.
Sent: Thursday, November 13, 2014 9:38 AM
To: Henderson, Lisa Y.
Subject: RE: Aljoyce, -137105

(b) (6), (b) (7)(C) provided documentation for (b) (5), (b) (6), (b) (7)(C)

[REDACTED]. Thanks.

From: Henderson, Lisa Y.
Sent: Thursday, November 13, 2014 9:13 AM
To: Marx, Sarah L.
Subject: Aljoyce, -137105

Sarah, (b) (5), (b) (6), (b) (7)(C)

[REDACTED] Thanks.

Lisa Y. Henderson
Supervisory Attorney
Region 10-Atlanta
National Labor Relations Board
(404) 331-2889

From: [Marx, Sarah L.](#)
To: ["Michael Schoenfeld"](#)
Subject: RE: McDonald's, Case No. 10-CA-137105
Date: Wednesday, November 19, 2014 7:42:00 AM

Received. Thank you.

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Tuesday, November 18, 2014 5:07 PM
To: Marx, Sarah L.
Subject: Re: McDonald's, Case No. 10-CA-137105

We will withdraw this charge. Thanks

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-897-1000 (office)
404-897-1990 (fax)
404-402-1220 (cell)

On Nov 13, 2014, at 1:31 PM, Marx, Sarah L. <Sarah.Marx@nrlb.gov> wrote:

Thank you for the prompt response, Mike.

From: Michael Schoenfeld [<mailto:MichaelS@sfglawyers.com>]
Sent: Thursday, November 13, 2014 12:04 PM
To: Marx, Sarah L.
Subject: RE: McDonald's, Case No. 10-CA-137105

The Union denies that assertion. The Union submits that (b) (6), (b) (7)(C) hours were reduced for the reasons set forth in the Union's position statement. Thank you.

Mike Schoenfeld
Stanford Fagan LLC
191 Peachtree Street N.E., Suite 4200
Atlanta, GA 30303
404-897-1000 (office)
404-897-1990 (fax)
404-402-1220 (cell)

From: Marx, Sarah L. [Sarah.Marx@nrlb.gov]
Sent: Thursday, November 13, 2014 9:52 AM
To: Michael Schoenfeld
Subject: McDonald's, Case No. 10-CA-137105

Mike,

To follow up on the Union's position statement of October 24, please provide the

Union's response to the assertion that any reduction in (b) (6), (b) (7)(C) hours after (b) (6), (b) (7)(C) were the result of (b) (6), (b) (7)(C) own absences, specifically for (b) (6), (b) (7)(C) .

We would appreciate a response to this no later than Monday, November 17.

Thank you.

Sincerely,

Sarah

Sarah Marx, Attorney
NLRB Region 10
233 Peachtree St., NE
Harris Tower, Suite 1000
Atlanta, GA 30303
404-331-2894 (phone)
404-331-2858 (fax)
sarah.marx@nrlb.gov

From: Lisa.Henderson@nlrb.gov
To: [Dunham, Geoffrey](#)
Cc: [Henderson, Lisa Y.](#)
Subject: 10-CA-137105 Aljoyce, 10-CA-137105
Date: Friday, November 21, 2014 9:16:48 AM

(b) (5) [REDACTED].

Case=10-CA-137105

Action=Investigation, ActionType=Initial C

DocType=FIR, Document SubType=FIR -- Final Investigation Report

[FIR- Agenda Outline.docx](#)

From: [Harrell, Claude T.](#)
To: [Dunham, Geoffrey](#)
Cc: [Marx, Sarah L.](#); [Henderson, Lisa Y.](#); [Robinson-Fraction, Elaine](#)
Subject: 10-CA-137105 McDonald"s
Date: Monday, November 24, 2014 11:48:17 AM

Geoffrey, (b) (5) the U wishes to withdraw the charge. Could you review and let us know if we can approve the withdrawal? Thanks, Chip Harrell, RD Region 10

Case Name: McDonald's & McDonald's Corp., as Joint and Single Employers
Case No.: 10-CA-137105
Agent: Attorney SARAH L. MARX

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
9/22/14	CP Atty Schoenfeld	Phone	Preliminary phone call with union atty. Will get back to me shortly on alleged disriminatee's availability to give an affidavit.
(b) (5), (b) (6) /14	Witness (b) (5), (b) (7)(C)	In-person	(b) (5), (b) (6), (b) (7)(C) also left CP Atty Schoenfeld a message because the (b) (5), (b) (6), (b) (7)(C).
(b) (5), (b) (6) /14	Witness (b) (5), (b) (7)(C)	Phone	Phone call with (b) (5), (b) (6), (b) (7)(C).
10/7/14	CP Atty Schoenfeld	Phone	VM from Schoenfeld regarding (b) (5), (b) (6), (b) (7)(C). See emails in file.
10/20/14	CP Atty Schoenfeld	Phone	Phone call with Mr. Schoenfeld and discriminatee advising that (b) (5) is allowed to speak with the Union's attorney if (b) (5) wished and confirmed that Schoenfeld may discuss the case with me.
11/18/14	CP Atty Schoenfeld	Phone	Phone call with Union Atty (b) (5).
12/2/14	Gina LiVolsi, ER Atty	Phone	Phone call regarding W/D
12/4/14	Sharon Cohen, ER Atty	Phone	Voicemail regarding W/D
12/9/14	Sharon Cohen, ER Atty	Phone	Phone call regarding W/D

Date	Person Contacted	Method of Contact	Description of Contact or Activity



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 10
233 Peachtree St NE
Harris Tower Ste 1000
Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov
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November 26, 2014

Gina M. LiVolsi, Attorney
LaPointe Law, P.C.
1200 Shermer Road, Suite 310
Northbrook, IL 60062

Doreen S. Davis, Attorney
Jones Day
222 East 41st Street
New York, NY 10017-6727

Re: Aljoyce II, Inc., d/b/a McDonald's &
McDonald's USA, LLC,
as Joint and Single Employers
Case 10-CA-137105

Dear Ms. LiVolsi and Ms. Davis:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

CLAUDE T. HARRELL JR.
Regional Director

Aljoyce II, Inc., d/b/a McDonald's &
McDonald's USA, LLC,
as Joint and Single Employers
Case 10-CA-137105

- 2 -

November 26, 2014

cc: McDonald's Corp.
443 Moreland Avenue
Atlanta, GA 30316

Michael B. Schoenfeld, ESQ.
191 Peachtree Street, N.E.
Suite 4200
Atlanta, GA 30303

Southern Workers Organizing Committee
314 S. Wilmington Street, Suite 207
Raleigh, NC 27601

Gloria Santona, Representative
McDonald's Corp
2111 McDonald's Drive
Oak Brook, IL 60523